Ministry of Infrastructure and the Environment

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Our reference
IenM/BSK-2015/190803

Date 25 SEP. 2015
Subject Reaction NL concerning VW crisis

Dear Commissioners Vella and Katainen,

Recent news of malversations of the VW concern in the USA in relation to the breach of emission regulations has greatly appalled us.

Within the Netherlands, we have a longstanding tradition of conducting emission tests on vehicles. This work is being done by TNO in commission of the Ministry of Infrastructure and the Environment in the Netherlands. Based on this research, we were already aware that real world NOx emissions strongly exceed the type approval limits. The research shows that motor management of the tested vehicles is calibrated in such a way that a vehicle can pass the test during the official test cycle on a chassis dynamometer, but has much higher emissions during real world driving conditions.

Industry, however, claimed that this way of "bypassing" the test cycle falls within the remit of the present legislation. The recent findings in the USA, admitted to by Volkswagen, has put this in a completely different perspective. And since we have found similarly high real world emissions by diesel cars of some other manufacturers, we believe that this phenomenon might just not be restricted to this manufacturer alone.

The phenomenon of higher real world driving emissions is not sufficiently covered in current type approval test procedures. To tackle this issue, the Commission and a number of member states have worked hard to develop additional requirements now encompassed in a new Real Driving Emissions test procedure.

To make progress on this matter, we would like to offer you and other member states our help by providing our test data, in order to clarify as soon as possible whether other manufacturers of diesel cars have also used these kinds of defeat devices. These devices allow vehicles to behave differently in a laboratory environment than on the road. Our field test program, which includes for some years now measurements on the road using the portable measurement system PEMS and another sensor based device, has generated an enormous amount of data which can be analysed for this purpose. The test program still continues, and

currently we are considering to direct it specifically on identifying the presence of defeat devices as allegedly applied by VW.

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Using the momentum created by the VW crisis in the USA, we feel that a unified European response has to speed up the introduction of the new RDE test procedure, and to assure that the new procedure is effective right from the start. It is essential not to give in to the latest request of industry to introduce transfer functions that will water down the requirements, and probably lead to further delay of the date of introduction of legally binding emission limits.

Furthermore, we would like you to consider the possibilities of a European recall. This has to ensure that all faulty software is removed from the market and replaced by proper software that allows proper emission reduction. The experience with the required recall in the USA with VW could be used to evaluate whether this is a viable option.

Finally, I strongly urge the Commission to introduce a stringent conformity factor in the order of 1,5 directly from the start of the new RDE test procedure in 2017, as originally was intended. We reject the so called 'two step approach' in the current negotiated agreement with a lenient limit in 2017 and stringent requirements only applicable from 2020 onwards. We fear that this will extend the period during which high NOx emitting vehicles can be registered and subsequently pollute our air for another 10 to 15 years.

Despite the current crisis, we are confident that in a concerted action of member states and the European Commission, this unfavourable situation will accelerate the introduction of effective, reliable and timely legislation ensuring low NOx emission of diesel vehicles in real world driving, allowing for true improvement of air quality for our European citizens.

Yours sincerely,

Wilma J. Mansveld
Minister for the Environment